

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICARDO L. GEE,

Plaintiff,

v.

MICHAEL J. ASTRUE, in his capacity as
Commissioner of the Social Security
Administration,

Defendant.

CASE NO. C11-1919RAJ

ORDER

This matter comes before the court on a Report and Recommendation (“R&R”) from the Honorable James P. Donohue, United States Magistrate Judge. Dkt. # 19. The court has considered Plaintiff’s objection to the R&R and Defendant’s response to the objection. For the reasons stated herein, the court ADOPTS the R&R, thereby affirming Defendant’s final decision. The court directs the clerk to dismiss this action with prejudice and enter judgment for Defendant.

Plaintiff’s objections to the R&R are not persuasive. In some respects, they are not factually accurate. For example, Plaintiff contends that the record reveals “at least eleven periods of sobriety in excess of four weeks,” but fails to acknowledge that many of the periods to which he points are overlapping. The evidence to which he points suggests that he claimed to be sober to various medical and mental health providers from about September 2005 through May 2006. As the administrative law judge (“ALJ”)

1 noted, however, other evidence from Plaintiff suggests that he was not honest about his
2 sobriety during that period. The ALJ accepted Plaintiff's assertions that he was sober
3 beginning in July 2008, and adequately explained her reasons to reject claims of any
4 significant period of sobriety prior to that.

5 Plaintiff's claim that the ALJ failed to cite "other source" medical evidence is
6 inaccurate. The ALJ cited evidence from each of these providers in her final order.
7 Administrative Record ("AR") at 493. The ALJ also adequately explained her decision
8 to accord relatively little weight to their opinions. The ALJ adequately explained her
9 reasons for according greater or lesser weight to the opinions of all medical providers.

10 Plaintiff did not object to the R&R's conclusions regarding the Plaintiff's global
11 assessment of functioning ("GAF") scores, and the court finds no error in those
12 conclusions.

13 For these reasons, the court ADOPTS the R&R and directs the clerk to dismiss
14 this action with prejudice, to enter judgment for Defendant, and to give notice of this
15 order to Judge Donohue.

16 DATED this 7th day of January, 2013.

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20 The Honorable Richard A. Jones
21 United States District Court Judge
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